

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA

CHRISTINE BIROS,

Case No. 17 CJ 04886

Plaintiff,

vs.

U LOCK INC.'S NOTICE OF
APPEAL

U LOCK INC., a Pennsylvania corp.

Defendant.

Filed on behalf of:

U LOCK INC., Defendant.

Counsel of record for this party:

J. Allen Roth, Esq. (PA 30347)
805 S. Alexandria
Latrobe PA 15650
(724) 537-0939
lawmatters@yahoo.com

FILED
PROTHONOTARY'S OFFICE
WESTMORELAND COUNTY
2022 MAY 23 P 1:01
GINA O'BARTO
TIME IN

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA**

CHRISTINE BIROS,)	Case No. 17 CJ 04886
)	
Plaintiff,)	
)	
vs.)	
)	
U LOCK INC., a Pennsylvania corp.,)	
)	
Defendant.)	

DEFENDANT U LOCK INC.'S
NOTICE OF APPEAL

Notice is hereby given that U Lock, defendant above named, hereby appeals to the Superior Court of Pennsylvania from the orders entered in this matter on the 17th day of May, 2022. These orders have been entered in the docket as evidenced by the attached copy of the docket entries.

TRANSCRIPT: The parties already ordered and received the transcript from the hearing that resulted in the Orders.

Respectfully submitted,



J. Allen Roth, Esq (PA 30347)
805 S Alexandria Street
Latrobe PA 15650
(724) 537-0939
lawmatters@yahoo.com

ATTORNEY FOR U LOCK INC.

Case Information

Case#	Caption	Reference File	Judgment Amt	Filed Date	Case Type/Subtype	Status	Judge
17CJ04886	CHRISTINE BIROS /INDIVID VS. U LOCK INC			Jan/24/2018	LIS PENDENS NEW FILE	ACTIVE	HAR F SMA

Parties

Party Type	Name	Address
DEFENDANT ATTY	DENNIS D DEL COTTO	4345 OLD WILLIAM PENN HWY , MURRYSVILLE , PA, 15668
DEFENDANT ATTY	J ALLEN ROTH	805 S ALEXANDRIA STREET , LATROBE , PA, 15650
DEFENDANT ATTY	JOHN A TUMOLO	437 GRANT STREET , PITTSBURGH , PA, 15219
DEFENDANT	DENISE SCHUR /EXEC	8700 CLEVELAND ROAD, CRESTON, OH, 44217, USA
DEFENDANT	ALEX SCHUR /ESTATE	
DEFENDANT	HENRY L MOORE /CO EXEC	310 KEYSTONE COMMONS 35 WEST PITTSBURGH STREET, GREENSBURG, PA, 15601, USA
PLAINTIFF ATTY	WILLIAM E OTTO	PO BOX 701 , MURRYSVILLE , PA, 15668
PLAINTIFF	CHRISTINE BIROS /INDIVID	435 MILLERS LANE, PLUM, 15239
DEFENDANT	SUSAN STANO /CO EXEC	31856 LAKE DRIVE, AVON LAKE, OHIO, 44012, USA

DEFENDANT	NICHOLAS SCHUR /ESTATE	
DEFENDANT	KATHLEEN S WALTER /EXEC	3 RIDGE COURT, SARATOGA SPRINGS, NY, 12866, USA
DEFENDANT	MICHAEL SCHUR /ESTATE	
DEFENDANT	CYNTHIA SARRIS /ADMIN	14249 HILAND PLACE, IRWIN, PA, 15642, USA
DEFENDANT	ANN SARRIS /ESTATE	
DEFENDANT	U LOCK INC	14140 ROUTE 30, NORTH HUNTINGDON, PA, 15642, USA
INTERESTED PTY	SHANNI SNDER	14390 US RT 30, NORTH HUNTINGDON, PA, 15642, USA

Events

Action Date	Action Description	Action Name	View Document
May/19/2022	RESPONSE	AND OBJECTIONS TO THE EXHIBITS FILED BY CHRSTINIE BIROS	View
May/19/2022	NOTICE	OF BANKRUPTCY	View
May/19/2022	MOT/PET CORRECT CAPTION	DEFT U LOCK INCS MOTION TO CORRECT AND OR STRIKE ERRONEOUS CAPTION	View
May/19/2022	*NOTICE APPEAL TO THE SUPERIOR COURT	*NOTICE APPEAL TO THE SUPERIOR COURT	View

May/19/2022	PRO SE APPEARANCE ENTERED BY	SHANNI SNYDER	View
May/17/2022	ORDER DENYING	ORDER MAY 13 2022 DENIED WITH PREJUDICE NOTICE GIVEN RULE N 236	View
May/17/2022	ORDER	ORDER MAY 13 2022 WRIT OF POSSESSION ISSUED NOTICE GIVEN RULE N 236	View
May/17/2022	ORDER	ORDER MAY 13 2022 AS SET FORTH NOTICE GIVEN RULE N 236	View
Apr/25/2022	BRIEF IN OPPOSITION TO MOTION	FOR SANCTIONS	View
Apr/21/2022	PRELIMINARY OBJECTIONS	DEFT U LOCK INCS PRELIMINARY OBJECTIONS RAISING ISSUES OF FACT TO THE PETITION FOR WRIT OF POSSESSION	View
Mar/18/2022	ORDER	PENDING SUPRME COURT OF PA WESTERN DISTRICT	View
Mar/17/2022	EXHIBITS	IN SUPPORT OF PETITION TO STRIKE ORDER OF JANUARY 20 2022 AS SET FORTH	View
Mar/17/2022	MOT/PET STRIKE	PETITION TO STRIKE ORDER OF JAN 20 2022 AS SET FORTH	View
Jan/24/2022	ORDER	ORDER JANUARY 20, 2022 NOTICE GIVEN RULE N236	View
Aug/27/2021	*MOT/PET STAY TAX SALE	AND ORDER DATED AUGUST 27 2021 GRANTING STAY RULE N 236 NOTICE SENT	View
May/08/2020	ORDER DENYING MOTION	ORDER MAY 7, 2020 MOTION IS DENIED WITHOUT PREJUDICE	View

Apr/13/2020	OBJECTIONS	DEFTS OBJECTIONS TO PLFFS INTERROGATORIES REQUEST FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS IN AID OF EXECUTION DIRECTED TO U LOCK INC	View
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Mar/26/2020	BRIEF IN OPPOSITION TO MOTION	TO DELIVER DEEDS TO PLFF	View
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Mar/23/2020	BRIEF IN SUPPORT OF MOTION	TO DELIVER DEEDS TO PLFF	View
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Mar/23/2020	MOTION/PETITION	MOTION TO DELIVER DEEDS TO PLFF	View
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Feb/07/2020	NOTICE SENT TO ALL COUNSEL & UNREPRESENTED PARTIES/PER PA RA	NOTICE SENT TO ALL COUNSEL & UNREPRESENTED PARTIES/PER PA RA	
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Feb/04/2020	SUPPLEMENT	ORDER TO RULE 1925a	View
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Feb/04/2020	ORDER PURSUANT TO RULE 1925(A)	ORDER PURSUANT TO RULE 1925(A)	View
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Jan/24/2020	BRIEF IN SUPPORT OF MOTION	TO REQUIRE DEFT TO POST SECURITY	View
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Jan/24/2020	STATEMENT PURSUANT TO RULE 1925	OF ISSUES TO BE RAISED ON APPEAL	View
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Jan/24/2020	BRIEF IN OPPOSITION TO MOTION	TO REQUIRE DEFT TO POST SECURITY PURSUANT TO PARAP 1733 AND OBJECTIONS TO THE PROPERTY INSPECTION PROCEDURE	View
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Jan/24/2020	VERIFICATION	OF GEORGE SNYDER JR AS TO PLFFS MOTION TO REQUIRE DEFT TO POST SECURITY PURSUANT TO PENNSYLVANIA RULE OF APPELLATE PROCEDURE 1733	View
Jan/10/2020	MOTION/PETITION	MOTION TO REQUIRE DEFT TO POST SECURITY PURSUANT TO PARAP RULE 1733	View
Jan/10/2020	MOTION/PETITION	MOTION TO DIRECT DEFT TO FILE A STATEMENT OF ERRORS COMPLAINED OF ON APPEAL PURSUANT TO PARAP RULE 1925B AND ORDER AS SET FORTH	View
Jan/06/2020	*JUDGMENT EO DIE: JUDGMENT ENTERED/NOTICE SENT	ON COURT ORDER DATED AUG 23, 2019 JUDGMENT ENTERED NOTICE SENT	View
Jan/06/2020	OPPOSITION	DEFT U LOCK INCS OPPOSITION TO MOTION TO REQUIRE DEFT TO POST SECURITY PURSUANT TO PARAP 1733	View
Dec/20/2019	NOTICE APPEAL FROM THE SUPERIOR COURT	NOTICE APPEAL FROM THE SUPERIOR COURT	View
Dec/13/2019	*NOTICE APPEAL TO THE SUPERIOR COURT	*NOTICE APPEAL TO THE SUPERIOR COURT	View
Dec/09/2019	OPINION AND ORDER	OPINION AND ORDER DECEMBER 6 2019 AS SET FORTH N236	View

Nov/26/2019	TRANSCRIPT OF PROCEEDINGS	TRANSCRIPT OF PROCEEDINGS	View
Oct/21/2019	BRIEF IN OPPOSITION TO POST-TRIAL MOTION	PURSUANT TO PARCIV PROC 227.1	View
Oct/17/2019	ORDER CONTINUING HEARING	OCTOBER 16 2019THE HEARING ON PLFFS MOTION FOR POST TRIAL MOTION IS HEREBY CONTINUED TO NOVEMBE 8 2019	View
Oct/15/2019	BRIEF IN OPPOSITION TO	PLAINTIFFS BRIEF IN OPPOSITION TO DEFENDANT U LOCK INCS POST-TRIAL MOTIOINS PURSUANT TO PA R CIV PROC RULE 227.1	View
Sep/30/2019	BRIEF IN SUPPORT OF POST-TRIAL MOTION	PURSUANT TO PARCIV PROC RULE 227.1	View
Sep/23/2019	BRIEF IN SUPPORT OF POST-TRIAL MOTION	RELIEF PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 227.1	View
Sep/16/2019	ORDER ORAL ARGUMENT	SEPTEMBER 13 2019 THAT THE ORAL ARUGMENT ON THE MOTION FOR POST TRIAL RELIEF IS SCHEDULED OCTOBER 21 2019 N236	View
Sep/13/2019	MOT/PET POST-TRIAL RELIEF	MOTION FOR POST TRIAL RELIEF PURSUANT TO PA R CIV PROC 227.1	View
Sep/13/2019	OBJECTIONS TO MOTION	OBJECTIONS TO DEFTS MOTION FOR POST TRIAL RELIEF PURSUANT TO PARCIV PROC 227.1	View

Sep/03/2019	MOT/PET POST- TRIAL RELIEF	DEF MOTION FOR POST TRIAL RELIEF PURSUANT TO PA RCP 227.1	View
Aug/23/2019	OPINION AND ORDER	NON JURY TRIAL OPINION AND ORDER AUG 22 2019 AS TO PLFFS COMPLAINT VERDICT IS HEREBY ENTERED IN FAVOR OF PLFF CHRISTINE BIROS AND GAINSG DEDT U LOCK INC ON COUNTS I AND II COUNT III OF PLFFS COMPLAINT IS	View
Jun/04/2019	NOTICE	OF COMPLIANCE WITH ORDER OF COURT	View
May/20/2019	FINDINGS OF FACT AND CONCLUSIONS OF LAW	DEFTS PROPOSED FINDINGS OF FACT AND CONCLUSION OF LAW WITH PROPOSED ORDER	View
May/17/2019	FINDINGS OF FACT AND CONCLUSIONS OF LAW	PROPOSED	View
May/15/2019	TRANSCRIPT OF PROCEEDINGS	HEARD ON APRIL 29, 2019	View
May/06/2019	ORDER AMENDING	ORDER MAY 3, 2019 THAT THE CAPTION IS AMENDED AS SET FORTH	View
Apr/30/2019	MOT/PET CONTINUANCE	TRIAL AND ORDER APRIL 29, 2019 DENIED WITH PREJUDICE	View
Apr/26/2019	PRAECIPE WITHDRAW PRELIMINARY OBJECTIONS	AND ORDER ACCERPT FOR FILING BY THE COURT	View

Apr/26/2019	MOTION/PETITION	MOTION TO WITHDRAW PRELIMINARY OBJECTIONS AND ORDER APRIL 26, 2019 THAT THE PRELIMINARY OBJECTIONS FILED ON DECEMBER 1, 2017 ARE HEREBY DISMISSED WITH PREJUDICE	View
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Apr/26/2019	CERTIFICATE OF SERVICE	OF THE ORGINAL ANSWER AND NEW MATTER FILED ON APR 23 2019	View
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Apr/26/2019	RESPONSE - PLAINTIFF'S	PLFFS RESPONSE TO DEFTS NEW MATTER	View
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Apr/23/2019	ANSWER AND NEW MATTER	ANSWER AND NEW MATTER	View
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Apr/04/2019	SCHEDULING ORDER	ORDER APRIL 3, 2019 THAT A ONE DAY NON-JURY TRIAL IS SCHEUDLED ON APRIL 29, 2019 N236	View
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Apr/01/2019	PRAECIPE	TO SET TRIAL DATE	View
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Mar/29/2019	MOTION/PETITION	TO ENFORCE SETTLEMENT	View
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Feb/25/2019	ANSWER	ANSWERS AND OBJECTIONS TO THE SECOND SET OF INTERROGATORIES REQUEST FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO U LOCK INC	View
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Jan/28/2019	ORDER PRELIMINARY OBJECTION	ORDER THAT RULING ON SAID PRELIMINARY OBJECTIONS IS DEFERRED AS THE PARTIES PURSUE SETTLEMENT AS SET FORTH N236	View
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Dec/07/2018	JUDICIAL REASSIGNMENT FORM FROM	MARSILI TO JUDGE MARSILI/SMAIL	View
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Dec/07/2018	MOT/PET HEARING	MOTION TO SCHEDULE HEARING TO DETERMINE PRELIMINARY OBJECTIONS AND ORDER HEARING IS SCHEDULED ON JANUARY 24, 2019	View
Oct/12/2018	RESPONSE - PLAINTIFF'S	TO DEFT U LOCK INCS NEW MATTER	View
Oct/01/2018	AMENDED	DEFT U LOCK INCS AMENDED OBJECTIONS AND RESPONSES TO THE INTERROGATORIES REQUESTS FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS AND EXHIBITS A THROUGH Y NOT IMAGED	View
Sep/21/2018	AMENDED ANSWER AND NEW MATTER	TO COMPLAINT FOR DECLATORY JDGMT AND EQUITABLE ACTION TO CONVEY TITLE TO QUIET TITLE AND FOR AN ACCOUNTING	View
Sep/07/2018	ORDER PRELIMINARY OBJECTION	ORDER SEPT 6 2018 THAT PRELIMINARY OBJECTIONS ARE OVERRULED IN PART SUSTAINED IN PART AND STRICKEN IN PART AS SET FORTH N236	View
Sep/07/2018	MOT/PET STAY TAX SALE (NO FEE)	AND ORDER AS SET FORTH	View
Jul/06/2018	ORDER	ORDER DEFTS PETITION FOR PROTECTIVE ORDER IS GRANTED AS SET FORTH	View

Jul/06/2018	MOT/PET PROTECTIVE ORDER	DEFT U LOCK INCS PETITION PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 4012A FOR A PROTECTIVE ORDER AND FOR A THIRTY (30) DAY EXTENSION OF TIME TO RESPOND TO THE PLFFS DISCOVERY REQUESTS	View
Jul/06/2018	MOT/PET COMPEL	DISCOVERY RESPONSE TO DEFTS OBJECTIONS TO PLFFS DISCOVERY REQUEST AND RESPONSE TO PLFFS MOTION FOR PROTECTIVE ORDER	View
Jul/02/2018	RESPONSE	TO DEFTS U LOCK INCS ANSWER TO PRELIMINARY OBJECTIONS	View
Jun/13/2018	ANSWER PRELIMINARY OBJECTIONS	DEFT U LOCK INCS ANSWER TO PRELIMINARY OBJECTIONS BASED UPON FAILURE TO CONFORM TO RULE OF COURT AND FOR INCLUSION OF SCANDALOUS AND IMPERTINENT MATTER AND INSUFFICIENT SPECIFICITY IN PLEADING	View
Jun/13/2018	BRIEF IN OPPOSITION TO PRELIMINARY OBJECTION	DEFT U LOCK INCS BRIEF IN OPPOSITION TO PRELIMINARY OBJECTIONS BASED UPON FAILURE TO CONFORM TO RULE OF COURT AND FOR INCLUSION OF SCANDALOUS AND IMPERTINENT MATTER AND INSUFFICIENT SPECIFICITY IN PLEADING	View
May/23/2018	CERTIFICATE OF SERVICE	OF SCHEDULING ORDER DATED MAY 17 2018	View

May/18/2018	SCHEDULING ORDER	FILING BRIEFS N236	View
May/16/2018	OBJECTIONS	AND RESPONSES TO THE INTERROGATORIES REQUESTS FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS	View
May/14/2018	PRELIMINARY OBJECTIONS	BASED UPON FAILURE TO CONFORM TO RULE OF COURT AND FOR INCLUSION OF SCANDALOUS AND IMPERTINENT MATTER AND INSUFFICIENT SPECIFICITY IN PLEADING AND BRIEF IN SUPPORT	View
Apr/23/2018	NOTICE OF SERVICE	OF INTERROGATORIES REQUEST FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO U LOCK INC	View
Apr/23/2018	OPPOSITION	TO PRELIMINARY OBJECTIONS	View
Apr/23/2018	AMENDED ANSWER AND NEW MATTER	TO COMPLAINT IN CIVIL ACTION FOR DECLATORY JUDGMENT AND EQUITABLE ACTION TO CONVEY TITLE TO QUIET TITLE AND FOR AN ACCOUNTING	View
Apr/19/2018	CERTIFICATE OF SERVICE	OF SCHEDULING ORDER	View
Apr/12/2018	SCHEDULING ORDER	FILING BRIEF N236	View

Apr/04/2018	PRELIMINARY OBJECTIONS	PRELIMINARY OBJECTIONS BASED UPON FAILURE TO CONFORM TO RULE OF COURT AND FOR INCLUSION OF SCANDALOUS AND IMPERTINENT MATTER AND INSUFFICIENT SPECIFICITY IN PLEADING AND BRIEF IN SUPPORT	View
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Mar/28/2018	PRAECIPE WITHDRAW PRELIMINARY OBJECTIONS	AND BRIEF IN SUPPORT	View
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Mar/19/2018	ANSWER COMPLAINT	AND NEW MATTER TO COMPLAINT IN CIVIL ACTION FOR DECLARATORY JUDGMENT AND EQUITABLE ACTION TO CONVEY TITLE TO QUIET TITLE AND FOR AN ACCOUITING	View
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Mar/16/2018	ORDER	THAT THE DEFAULT JDGMT IN FAVOR OF PLFF AND AGAINST DEFT U LOCK IS STRIKEN AS SET FORTH	View
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Mar/16/2018	MOT/PET STRIKE JUDGMENT (NO FEE)	MOTION TO STRIKE DEFAULT JUDGMENT (NO FEE)	View
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Mar/16/2018	SCHEDULING ORDER	SCHEDULING ORDER MARCH 15, 2018 FILING BRIEF AS SET FORTH N236	View
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Mar/12/2018	APPEARANCE ENTERED BY	JOHN A TUMOLO ESQ	View
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Mar/08/2018	JUDICIAL REASSIGNMENT FORM FROM	FROM JUDGE SCHERER TO JUDGE MARSILL	View
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Mar/06/2018	ORDER RECUSAL	ORDER RECUSAL THAT THE COURT ADMINISTRATORS OFFICE SHALL REASSIGN THIS CASE TO JUDGE ANTHONY MARSILI AS SET FORTH N236	View
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Mar/05/2018	ANSWER COMPLAINT	FOR DECLARATORY JUDGMENT AND EQUITABLE ACTION TO CONVEY TITLE TO QUIET TITLE AND FOR AN ACCOUNTING	View
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Mar/05/2018	APPEARANCE ENTERED BY	J ALLEN ROTH ESQ	View
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Mar/05/2018	BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS	BRIEF IN SUPPORT OF DEFT U LOCK INCS PRELIMINARY OBJECTIONS TO THE COMPLAINT	View
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Mar/05/2018	PRELIMINARY OBJECTIONS	DEFT U LOCK INCS PRELIMINARY OBJECTIONS TO THE COMPLAINT	View
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Mar/05/2018	*MOT/PET OPEN OR STRIKE JUDGMENT	*MOT/PET OPEN OR STRIKE JUDGMENT	View
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Mar/02/2018	APPEARANCE ENTERED BY	DENNIS D DEC COTTO ESQ	View
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Feb/23/2018	*JUDGMENT EO DIE: JUDGMENT ENTERED/NOTICE SENT	*JUDGMENT EO DIE: JUDGMENT ENTERED/NOTICE SENT	View
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Feb/21/2018	PRAECIPE REINSTATE COMPLAINT EO DIE: COMPLAINT REINSTATED	PRAECIPE REINSTATE COMPLAINT EO DIE: COMPLAINT REINSTATED	View
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Feb/21/2018	RETURN SERVICE BY	OF PROCESS BY PUBLICATION	View
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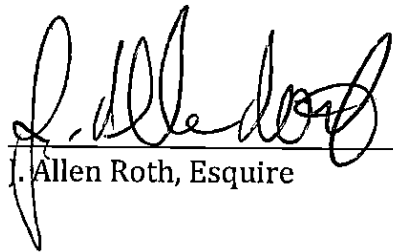
Jan/19/2018	PRAECIPE REINSTATE COMPLAINT EO DIE: COMPLAINT REINSTATED	PRAECIPE REINSTATE COMPLAINT EO DIE: COMPLAINT REINSTATED	View
Jan/12/2018	MOTION/PETITION	MOTION FOR SERVICE BY PUBLICATION PURSUANT TO RULE 430 AND ORDER THAT DEFT U LOCK INC MAY BE SERVED BY PUBLICATION IN ACCORDANCE WITH PA PRCP RULE 430	View
Jan/12/2018	*PRAECIPE INDEX LIS PENDENS	*PRAECIPE INDEX LIS PENDENS	View

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was mailed on May 23, 2022 to the following:

William Otto, Esquire
PO Box 701
Murrysville, PA 15668

I certify that a true copy of the foregoing was hand delivered to the Honorable Judge Harry F. Smail at the Westmoreland Court of Common Pleas, Courtroom 2, Greensburg, PA 15601



J. Allen Roth, Esquire